

Message Text

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SUBJECT: SMUN DIPLOMATIC PARKING SPACES IN NEW YORK CITY

REF: USUN 841, USUN 534

WE HAVE RECEIVED NOTE VERBALE FROM SMUN DATED MARCH, 1975
CONCERNING SMUN DPL PARKING PROBLEMS IN NYC. TEXT OF
TRANSLATION IS AS FOLLOWS: QUOTE:

NO. 146

THE MISSION OF THE UNION OF SOVIET SOCIALIST REPUBLICS TO THE U.N.
PRESENTS ITS COMPLIMENTS TO THE MISSION OF THE UNITED STATES OF
AMERICA TO THE U.N. AND, REFERRING TO THE U.S. MISSION'S NOTE OF JANU
ARY
30, 1975, HAS THE HONOR OF REPORTING THE FOLLOWING.

DURING ALL OF 1974, AND SPECIFICALLY IN ITS NOTES NO. 51 OF
JANUARY 25, 1974, NO. 368 OF JUNE 27, 1974, AND NO. 666 OF DECEMBER
20, 1974, AS WELL AS IN NOTE NO. 41 OF JANUARY 21, 1975, THE U.S.S.R.
MISSION HAS REPEATEDLY REQUESTED THE U.S. MISSION TO PROVIDE
ADDITIONAL PARKING PLACES IN THE AREA OF THE MISSION'S BUILDING
FOR THE CARS BELONGING TO THE MISSION AND ITS DIPLOMATIC STAFF. AT
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THE SAME TIME THE U.S.S.R. MISSION HAS ALSO REQUESTED THE U.S.

MISSION TO PROVIDE PARKING PLACES AT THE RESIDENCES OF THE MISSION'S MEMBERS LIVING IN NEW YORK. THE QUESTION OF ADDITIONAL PARKING SPACE FOR THE U.S.S.R. MISSION AND ITS STAFF HAS BEEN RAISED REPEATEDLY BY THE U.S.S.R. DELEGATION ALSO IN THE COMMITTEE ON RELATIONS WITH THE HOST COUNTRY.

NEVERTHELESS, DESPITE THESE REPEATED REQUESTS, THE MUNICIPAL AUTHORITIES OF NEW YORK CITY HAVE NOT PROVIDED ADDITIONAL PARKING PLACES FOR THE U.S.S.R. MISSION'S CARS. NOW AS BEFORE, THE PARKING SITUATION FOR THE CARS OF THE MISSION AND ITS STAFF IS HIGHLY UNSATISFACTORY, NOT TO SAY CATASTROPHIC. THE U.S.S.R. MISSION HAS MORE THAN 80 CARS, BUT ONLY FOUR RESERVED PARKING PLACES ARE AVAILABLE TO IT. THE MISSION HAS ADVISED REPEATEDLY IN ITS NOTES THAT THESE PARKING PLACES, ALL LOCATED ON LEXINGTON AVENUE, ARE VERY FREQUENTLY TAKEN BY AUTOMOBILES NOT PROVIDED WITH DIPLOMATIC PLATES. DESPITE APPEALS TO THE POLICE, THE LATTER HAVE IGNORED THE MATTER: THE RESERVED PARKING PLACES CONTINUE TO BE SYSTEMATICALLY USED BY PRIVATE CARS BELONGING TO AMERICAN CITIZENS. THIS PARKING SITUATION EXTREMELY COMPLICATES THE NORMAL OPERATION OF THE U.S.S.R. MISSION AND INTERFERES WITH THE WORK OF ITS DIPLOMATIC STAFF.

THE U.S.S.R MISSION IS COMPELLED TO REFER TO ARTICLE 25 OF THE 1961 VIENNA CONVENTION ON DIPLOMATIC RELATIONS WHICH PROVIDES THAT THE RECEIVING STATE MUST ACCORD FULL FACILITIES FOR THE PERFORMANCE OF THE FUNCTION OF A MISSION. THE CONVENTION POINTS OUT, DIRECTLY AND UNAMBIGUOUSLY, THAT TO ACCORD NORMAL CONDITIONS FOR THE ACTIVITY OF DIPLOMATIC MISSIONS, INCLUDING PREVENTION OF ANY INTERFERENCE WITH THE USE OF AUTOMOBILES, IS AN INTERNATIONAL DUTY OF THE RELEVANT MEMBER-STATE OF THE CONVENTION AND BY NO MEANS OF COURTESY. IN THIS CONNECTION IT IS APPROPRIATE TO REMIND THE U.S. MISSION THAT IN MOSCOW THE SOVIET SIDE HAS PROVIDED THE U.S. EMBASSY WITH ALL THE NECESSARY FACILITIES FOR THE NORMAL PARKING OF THE EMBASSY'S CARS.

AS POINTED OUT IN THE U.S.S.R. MISSION'S NOTE OF JANUARY 21, 1975, THE NEW YORK CITY AUTHORITIES NOT ONLY FAIL TO PROVIDE NORMAL CONDITIONS FOR PARKING THE U.S.S.R. MISSION'S AUTOMOBILES, BUT CONDUCT A CAMPAIGN OF TICKETING AUTOMOBILES WITH DIPLOMATIC PLATES AND ENGAGE IN A HOSTILE PRESS

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CAMPAIGN. THIS ATTITUDE OF THE LOCAL AUTHORITIES RUNS COUNTER TO RESOLUTION 3320 (XXIX) OF THE U.N. GENERAL ASSEMBLY WHICH APPEALS TO THE RECEIVING COUNTRY, I.E. THE U.S., TO "REVISE THE MEASURES CONCERNING THE PARKING OF DIPLOMATIC AUTOMOBILES FOR THE PURPOSE OF SATISFYING THE WISHES AND NEEDS OF THE DIPLOMATIC COMMUNITY AND DISCONTINUING THE PRACTICE OF ISSUING TICKETS TO DIPLOMATS."

IN VIEW OF THE ABOVE, THE MISSION AGAIN REQUESTS THE U.S. MISSION TO ADOPT ALL NECESSARY MEASURES, TO WIT:

FIRST , , TO ASSIGN THE SOUTH SIDE OF 67TH STREET, BETWEEN THIRD AND LEXINGTON AVENUES, FOR PARKING THE U.S.S.R. MISSION'S VEHICLES CARRING DIPLOMATIC PLATES. THE PRESENCE, ON THE OPPOSITE SIDE OF THAT STREET, I.E., ACROSS FROM THE MISSION'S BUILDING, OF A FIRE STATION AND A POLICE PRECINCT IS NOT REASON ENOUGH TO DENY THE REQUEST FOR ASSIGNMENT OF PARKING SPACES FOR THE MISSION'S AUTOMOBILES ON THE SOUTH SIDE OF THAT STREET.

EXPERIENCE SHOWS THAT THIS (THE SOUTH) SIDE OF THE STREET IS CONTINUOUSLY AND SYSTEMATICALLY TAKEN UP EITHER BY PRIVATE CARS OF U.S. CITIZENS OR BY POLICE VEHICLES, WHEREAS THE OPPOSITE, NORTH SIDE OF THE STREET IS FREQUENTLY FREE OF CARS. FOR ITS PART, THE U.S.S.R. MISSION IS PREPARED TO TAKE URGENT STEPS AIMED AT GUARANTEEING THE NORMAL TRANSPORT ACTIVITIES OF THE FIRE SQUAD AND THE POLICE PRECINCT, UPON AGREEMENT WITH THEM. THE ASSIGNMENT OF PARKING SPACES FOR THE U.S.S.R. MISSION ON THE SOUTH SIDE OF 67TH STREET HAS BECOME PARTICULARLY URGENT IN VIEW OF THE INADMISSIBLE INCIDENT THAT OCCURRED ON DECEMBER 12, 1974, WHEN POLICE OFFICER GAVE A TICKET TO THE AUTOMOBILE OF THE U.S.S.R. PERMANENT REPRESENTATIVE, PARKED IN FRONT OF THE ENTRANCE OF THE MISSION'S BUILDING. THIS WAS REPORTED IN THE MISSION'S NOTE NO. 666 OF DECEMBER 20, 1974;

SECOND, TO MAKE AVAILABLE TO THE U.S.S.R MISSION NO FEWER THAN 10 PARKING SPACES ON THIRD AVENUE, AND NO FEWER THAN 10 PARKING SPACES ON LEXINGTON AVENUE NEAR THE MISSION'S BUILDING. A FEW PARKING SPACES COULD BE ASSIGNED TO THE U.S.S.R. MISSION ALSO ON 66TH STREET BETWEEN THIRD AND LEXINGTON AVENUES;

THIRD, TO ASSIGN PARKING PLACES FOR THE AUTOMOBILES OF THE U.S.S.R.
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MISSION'S OFFICIALS NEAR THE APARTMENT HOUSES IN WHICH THEY RESIDE. THE MISSION'S NOTE NO. 331 OF JULY 7, 1972, PROVIDED THE U.S. MISSION WITH A LIST OF SUCH OFFICIALS AND THEIR ADDRESSES. AMENDMENTS TO THIS LIST SHALL BE PROVIDED SEPARATELY;

FOURTH, IT IS ESSENTIAL THAT THE POLICE AUTHORITIES TAKE STEPS TO PREVENT PRIVATE CARS WITHOUT DIPLOMATIC LICENSE PLATES FROM PARKING IN SPACES RESERVED FOR THE U.S.S.R. MISSION'S AUTOMOBILES WITH DIPLOMATIC LICENSE PLATES.

IN ADDRESSING THE ABOVE REQUEST TO THE U.S. MISSION TO THE U.N., THE U.S.S.R. MISSION WISHES TO POINT OUT ONCE AGAIN THAT IN MOSCOW THE U.S. EMBASSY AND ITS DIPLOMATIC STAFF ARE PROVIDED ALL NECESSARY CONDITIONS AND FACILITIES FOR THE FREE PARKING OF AUTOMOBILES WITH DIPLOMATIC LICENSE PLATES IN COMMON AND SPECIAL PARK-

ING PLACES, AND THE NORMAL USE TO AUTOMOBILE TRANSPORTATION IS NOT
INTERFERED WITH OR PREVENTED.

THE U.S.S.R. MISSION EXPRESSES THE HOPE THAT THE MUNICIPAL
AUTHORITIES OF NEW YORK CITY, IN COOPERATION WITH THE U.S. MISSION
TO THE U.N. WITH THE ABOVE-MENTIONED MINIMUM NECESSARY
NUMBER OF RESERVED SPACES FOR PARKING AUTOMOBILES NEAR THE MISSION'S
BUILDING AND AT THE APARTMENT HOUSES WHERE ITS DIPLO-
MATIC STAFF RESIDES

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